

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CENTRAL STATES, SOUTHEAST AND)	
SOUTHWEST AREAS PENSION FUND;)	
CENTRAL STATES, SOUTHEAST AND)	
SOUTHWEST AREAS HEALTH AND)	
WELFARE FUND; and)	Case No. 18-cv-3051
ARTHUR H. BUNTE, JR., as Trustee,)	
)	Judge Manish S. Shah
<i>Plaintiffs,</i>)	
v.)	Magistrate Judge Jeffrey T. Gilbert
)	
EHRET INC.,)	
an Illinois corporation,)	
)	
<i>Defendant.</i>)	

CONSENT JUDGMENT

WHEREAS, Plaintiffs, Central States, Southeast and Southwest Areas Pension Fund (the “Pension Fund”), Central States, Southeast and Southwest Areas Health and Welfare Fund (the “Health Fund” and collectively with the Pension Fund, the “Funds”), and Arthur H. Bunte, Jr., Trustee, filed their Complaint in this action on April 30, 2018; and

WHEREAS, Defendant Ehret Inc. (“Ehret”) has filed an Answer in this action denying that Plaintiffs are entitled to the relief requested in the Complaint; and

WHEREAS, pursuant to a settlement between the parties, the parties consent and stipulate to the entry of judgment against Ehret and in favor of the Plaintiffs, as set forth below;

NOW THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED:

A. That the Pension Fund and Arthur H. Bunte, Jr., as Trustee, have and recover judgment from and against Ehret in the total amount of \$15,604.46. This amount consists of: (i) \$9,806.47 in past due contributions for the period of January 28, 2018, through November 24, 2018 presently known based on Ehret’s unaudited self-reported work history, unaudited payroll

records stamped as CS00640-CS00667, and unaudited employee pay stubs stamped as CS00627-CS00635; (ii) \$20.20 in interest relating to the past due contributions through February 13, 2019; (iii) \$1,961.29 in liquidated damages relating to the past due contributions; (iv) \$3,591.50 in attorneys' fees for prosecuting this lawsuit as it relates to the past due contributions owed to the Pension Fund; and (v) \$225.00 in costs for prosecuting this lawsuit as it relates to the past due contributions owed to the Pension Fund.

B. That the Health Fund and Arthur H. Bunte, Jr., as Trustee, have and recover judgment from and against Ehret in the total amount of \$30,302.22. This amount consists of: (i) \$22,033.68 in past due contributions for the period of November 26, 2017, through November 24, 2018 presently known based on Ehret's unaudited self-reported work history, unaudited payroll records stamped as CS00640-CS00667, and unaudited employee pay stubs stamped as CS00627-CS00635; (ii) \$45.30 in interest relating to the past due contributions through February 13, 2019; (iii) \$4,406.74 in liquidated damages relating to the past due contributions; (iv) \$3,591.50 in attorneys' fees for prosecuting this lawsuit as it relates to the past due contributions owed to the Health Fund; and (v) \$225.00 in costs for prosecuting this lawsuit as it relates to the past due contributions owed to the Health Fund.

C. That Plaintiffs are awarded post-judgment interest on the unpaid contributions judgment balance at the greater of: (a) an annualized interest rate equal to two percent (2%) plus the prime interest rate established by JPMorgan Chase Bank, NA for the fifteenth (15th) day of the month for which the interest is charged, *or* (b) an annualized interest rate of 7.5%, and such interest shall be compounded annually.

D. Specifically excluded from this judgment and not barred under *res judicata*, collateral estoppel, or claim preclusion are: (a) additional contributions revealed by an audit

(including related interest and statutory damages) that are owed to the Pension Fund for the period of January 28, 2018, through November 24, 2018, or that are owed to the Health Fund for the period of November 26, 2017, through November 24, 2018; (b) military leave contributions (including related interest and statutory damages) for covered employees in the Uniformed Services, as that term is defined in the Uniformed Services Employment and Reemployment Rights Act of 1984, that are owed to the Pension Fund for the period of January 28, 2018, through November 24, 2018, or that are owed to the Health Fund for the period of November 26, 2017, through November 24, 2018; (c) contributions owed to the Pension Fund for any period other than the period of January 28, 2018, through November 24, 2018; (d) contributions owed to the Health Fund for any period other than the period of November 26, 2017, through November 24, 2018 (including related interest and statutory damages); and (e) any withdrawal liability as defined at 29 U.S.C. § 1381, *et seq.* that is due or may become due in the future to the Pension Fund.

E. That Ehret waives any right it may have to appeal this judgment.

F. That Plaintiffs are awarded execution for collection of the judgment and costs granted.

APPROVED:

**CENTRAL STATES, SOUTHEAST AND
SOUTHWEST AREAS PENSION FUND;
CENTRAL STATES, SOUTHEAST AND
SOUTHWEST AREAS HEALTH AND
WELFARE FUND;
and ARTHUR H. BUNTE, JR., TRUSTEE**

By: /s/ Frank T. Blechschmidt (IL #6308606)
Frank T. Blechschmidt

Its: Attorney

Dated: February 11, 2019

APPROVED:

EHRET INC.

By: /s/ Bryan M. Kaemmerer (MO #52998)
Bryan M. Kaemmerer

Its: Attorney

ENTERED:



Manish S. Shah
United States District Judge